

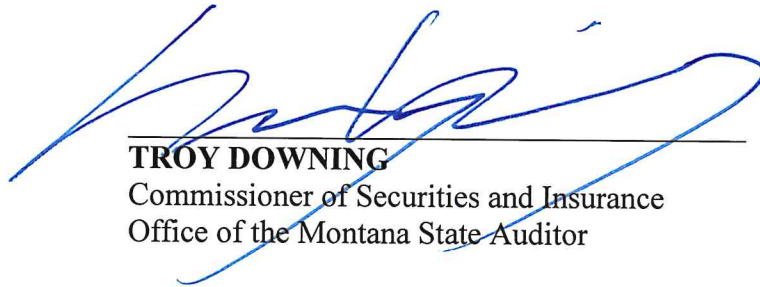
**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE  
OFFICE OF THE MONTANA STATE AUDITOR**

In the Matter of the Proposed Agency Action Against MINTBUILDER.COM LLC.	Case No.: SEC 2021-329  <b>PERMANENT CEASE AND DESIST ORDER</b>
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On September 15, 2021, the Office of the Montana State Auditor, Commissioner of Securities and Insurance (Commissioner), issued the attached Temporary Cease and Desist Order (Temporary C&D) against MINTBUILDER.COM LLC (MintBuilder) by certified, first class mail. (Exhibit A). On September 18, 2021, Matthew M. Barkes, CEO/Founder of MintBuilder, signed the certified mail, domestic return receipt green card, acknowledging service of the Temporary C&D. (Exhibit B). The Temporary C&D provided MintBuilder twenty-four (24) days to request a hearing on the allegations. The Temporary C&D explains that if MintBuilder fails to request a hearing, the Temporary C&D will be made final. MintBuilder failed to request a hearing within the time provided. Based on the foregoing,

IT IS HEREBY ORDERED that the Temporary Cease and Desist Order dated September 15, 2021, and attached hereto as Exhibit A, is made final pursuant to Mont. Code Ann. § 33-1-318(1)(b).

DATED this 23<sup>rd</sup> day of November, 2021.



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**TROY DOWNING**  
Commissioner of Securities and Insurance  
Office of the Montana State Auditor

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Mont. R. Civ. Pro. 4(j)(5) and 4(p) and by Order of the Commissioner, that on November 23, 2021 I caused a copy of the Permanent Cease and Desist order to be served by certified, first class mail, postage prepaid, at the following addresses:

MINTBUILDER.COM LLC  
8374 Market Street  
#162  
Bradenton, FL 34202-5137

c/o Mr. Mathew M. Barkes  
11605 Monument Drive  
Unit 2107  
Lakewood Ranch, FL 34211

  
\_\_\_\_\_  
Brandy Morrison  
Paralegal

# EXHIBIT A

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE  
OFFICE OF THE MONTANA STATE AUDITOR**

In the Matter of the Proposed Agency Action  
Against MINTBUILDER.COM LLC.

Case No.: SEC 2021-329

**TEMPORARY CEASE AND DESIST  
ORDER**

TO: MINTBUILDER.COM LLC  
8374 Market Street  
#162  
Bradenton, FL 34202-5137

c/o Mr. Mathew M. Barkes  
11605 Monument Drive  
Unit 2107  
Lakewood Ranch, FL 34211

**TEMPORARY CEASE AND DESIST ORDER**

Based on the allegations of fact and conclusions of law set forth in the attached *Notice of Proposed Agency Action and Opportunity for Hearing*, it appears to the Commissioner that MINTBUILDER.COM LLC ("MintBuilder") has engaged in or is about to engage in an act or practice constituting a violation of the Montana Securities Act ("Act"), Montana Code Annotated §§ 30-10-101, et seq.

Pursuant to Montana Code Annotated § 30-10-305(1), MintBuilder therefore is ORDERED to immediately cease and desist: (i) transacting any business in Montana,

(ii) promoting, conducting, or advertising its business activities in Montana; and (iii) recruiting or directing Montanans to participate in its business activities.

### **STATEMENT OF RIGHTS**

MintBuilder is entitled to a hearing to respond to this Order and to present evidence and arguments as to why this Order should not be made final. MintBuilder has a right to be represented by an attorney at any and all stages of this proceeding. If MintBuilder wishes to challenge this Order, it must make a written request for a hearing within 24 days of receipt of this document to:

Ole Olson  
Chief Legal Counsel  
Commissioner of Securities and Insurance,  
Office of the Montana State Auditor  
840 Helena Avenue  
Helena, MT 59601  
oolson@mt.gov

The hearing shall then be held within 24 days of receipt of the written hearing request by the Commissioner of Securities and Insurance (“CSI”) unless the time is extended by agreement of the parties. This Order shall remain in effect until 10 days after the Hearing Examiner issues proposed findings of facts and conclusions of law and a proposed order. If MintBuilder does not request a hearing within 24 days of receipt of this Order, the Order shall become permanent.

### **PENALTIES**

Pursuant to Montana Code Annotated § 30-10-305(3)(a), a violation of this Order is a separate violation for which the CSI may impose a fine not to exceed \$5,000 per violation, in addition to any other penalties imposed by law. Pursuant to Montana Code Annotated § 30-10-305(3)(b), if a violation of this Order consists of a willful act or practice affecting a person 60 years or older, the CSI may impose a fine not to exceed \$20,000 per violation.

DATED this 15 day of September, 2021.

A handwritten signature in black ink, appearing to read 'Troy Downing', is written over a horizontal line.

**TROY DOWNING**  
Commissioner of Securities and Insurance  
Office of the Montana State Auditor

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Mont. R. Civ. Pro. 4(j)(5) and 4(p) and by Order of the Commissioner, that on September 15, 2021 I caused a copy of the Temporary Cease and Desist order to be served by certified, first class mail, postage prepaid, at the following addresses:

MINTBUILDER.COM LLC  
8374 Market Street  
#162  
Bradenton, FL 34202-5137

c/o Mr. Mathew M. Barks  
11605 Monument Drive  
Unit 2107  
Lakewood Ranch, FL 34211

  
\_\_\_\_\_  
Brandy Morrison  
Paralegal



# EXHIBIT B

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**c/o Mr. Mathew M. Barkes  
11605 Monument Drive  
Unit 2107  
Lakewood Ranch, FL 34211**



9590 9402 5619 9274 1805 29

2. Article Number (Transfer from service label)

7019 1640 0000 8147 5229

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C-17

C. Date of Delivery

9/8/21

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

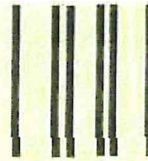
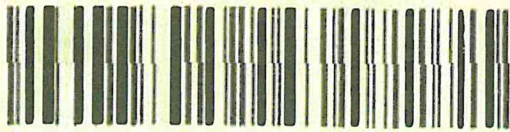
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Deliveryfail  
fail Restricted Delivery  
(over \$500)

2621-329

Domestic Return Receipt

USPS TRACKING #



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 5449 9274 1805 29

United States  
Postal Service

RCVD MT CSI  
STATE AUDITORS OFF

• Sender: Please print your name, address, and ZIP+4® in this box•

Commissioner of Securities & Insurance  
Office of the Montana State Auditor  
ATTN: Legal Dept.  
840 Helena Ave  
Helena, MT 59601

201 SEP 21 P

09/10

